

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, NOVEMBER 7, 2000
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Kathy Campbell, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Linda Steinman
Bob Workman

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, October 31, 2000. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

MOTION: Hudkins moved and Heier seconded approval of the minutes of the Board of Equalization meeting dated October 31, 2000. Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 9 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Workman moved and Steinman seconded approval. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

3) **APPROVAL OF MOTOR VEHICLE TAX EXEMPTIONS:**

**Blessed Sacrament School
Developmental Services of Nebraska, Inc.
First Church of the Nazarene**

MOTION: Steinman moved and Heier seconded approval of motor vehicle tax exemptions for Blessed Sacrament School and First Church of the Nazarene and approval of a motor vehicle tax exemption for Developmental Services of Nebraska, Inc. subject to the vehicle(s) being titled and registered to the applicant. Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

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The Chair recessed the Board of Equalization meeting until 2:25 p.m. when it was reconvened.

4) **NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY FOR THE FOLLOWING:**

DWAI, LLC

Norm Agena, County Assessor, recommended the value be set at \$87,600.

MOTION: Steinman moved and Heier seconded to accept the recommendation of the County Assessor and set the value at \$87,600. Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

5) **APPEAL FILED ON PENALTY AGAINST PERSONAL PROPERTY:**

Alternative Claims Services, Inc.

The Assessor recommended a ten percent penalty be assessed.

MOTION: Hudkins moved and Steinman seconded to accept the Assessor's recommendation and assess a ten percent penalty against personal property for Alternative Claims Services, Inc. Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

6) **REMOVAL OF TAX EXEMPTIONS ON REAL PROPERTY FOR 2000 FOR THE FOLLOWING:**

Congregation Missionary Sister of the Blessed

MOTION: Steinman moved and Heier seconded to remove the exemption on real property for 2000 for Congregation Missionary Sister of the Blessed. Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

Havelock Methodist Church

The Assessor explained that the property (parsonage) had been vacant since July. He added that it is the intent of Havelock Methodist Church to rent the house. Recommendation was for removal.

MOTION: Steinman moved and Heier seconded to remove the tax exemption on real property for 2000 for Havelock Methodist Church. Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

7) **APPROVAL OF APPLICATION FOR A TAX EXEMPTION ON REAL PROPERTY FOR 2000:**

Catholic Bishop of Lincoln, Inc.

MOTION: Steinman moved and Heier seconded approval of a tax exemption on real property for 2000 for the Catholic Bishop of Lincoln, Inc. Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

8) **DENIAL OF A TAX EXEMPTION APPLICATION ON REAL PROPERTY FOR 2000:**

Cheney Cemetery Association

The Assessor stated the property was purchased by the Cheney Cemetery Association in July, 1998. He stated that the Association was notified they should apply for exemption prior to August 1, 2000, however, application was not received until August 29th. Agena also stated there are unpaid taxes for 1999 and an exemption cannot be granted if taxes have not been paid.

MOTION: Steinman moved and Heier seconded to deny the tax exemption application on real property for 2000 for Cheney Cemetery Association. Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

9) **ADJOURNMENT**

By direction of the Chair, the Board of Equalization meeting was adjourned.

Bruce Medcalf
County Clerk

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- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, October 31, 2000 and the minutes of the Fiscal Year 2001, One and Six-Year Road and Bridge Improvement Program public hearing dated November 1, 2000. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

MOTION: Hudkins moved and Steinman seconded approval of the minutes of the Board of Commissioners meeting dated October 31, 2000 and the minutes of the Fiscal Year 2001, One and Six-Year Road and Bridge Improvement Program public hearing dated November 1, 2000. Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, November 7, 2000.**

MOTION: Workman moved and Heier seconded approval. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

3) **OLD BUSINESS:**

A. A resolution authorizing the removal of a T-intersection sign on Northwest 112th Street south of West Little Salt Road for northbound traffic in Lancaster County, Nebraska. (R-00-136)

MOTION: Hudkins moved and Steinman seconded approval of Resolution 00-136. Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **NEW BUSINESS:**

A. An agreement with the law firm of Recknor and Associates to provide legal services for indigents in the Separate Juvenile Court of Lancaster County, Nebraska, beginning November 1, 2000 and ending October 31, 2003. The County will pay \$2,000 per month for the first year, \$3,400 per month for the second year and \$5,000 per month for the third year. (C-00-548)

Larry Ohs, attorney, appeared and indicated he was appearing on behalf of Gene Oglesby, Dalton Tietjen, Lisa Lozano and himself who submitted applications for the contract. He stated they have concerns regarding the process used by the Indigent Defense Advisory Committee in the selection of the contractor and that they feel the committee did not follow the rules. Ohs stated a committee member had informed him the decision was based on which applicant was a law firm and that it would be easier for a law firm to check for conflicts of interest. He stated it was his opinion that the County Board should be looking at who has experience in Juvenile Court.

Hudkins asked if the Indigent Defense Advisory Committee conducted interviews or reviewed credentials prior to making a decision.

Ohs stated no.

Dennis Keefe, Public Defender, gave a brief overview of the process used by the Indigent Defense Advisory Committee in selecting the contractor. He also reviewed the experience of the attorneys who would be providing the services. Keefe also stated that the ability of a law firm checking for conflicts of interest was not the basis for the selection. He stated he felt the process used for selection was as fair as it had been in prior years.

4) **NEW BUSINESS CONTINUED:**

In response to a question asked by Workman regarding interviews, Keefe stated he offered that suggestion to the Indigent Defense Advisory Committee, however, they indicated they were comfortable selecting the contractor without an interview.

MOTION: Steinman moved and Workman seconded approval. Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

B. A lease agreement with Infosciber to lease two computers and monitors for the Community Mental Health Center. As consideration the County will continue its Standard Network Agreement and maintain the equipment in good working condition. The term of the agreement is consistent with the Standard Network Membership Agreement. (C-00-547)

MOTION: Steinman moved and Workman seconded approval. Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

C. A grant contract with Saint Monica's for Therapeutic Community and Outreach Services, beginning July 1, 2000 and ending June 30, 2001. The County will pay \$30,000 for the services. (C-00-546)

MOTION: Heier moved and Hudkins seconded approval. Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried

D. An agreement with the Indian Center, Inc. to provide care coordination using the wraparound process for youth, beginning October 1, 2000 and ending September 30, 2001. The County will pay \$50,000 for the services. (C-00-545)

MOTION: Heier moved and Steinman seconded approval. Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

E. An agreement with the City of Lincoln to provide, through the Lancaster County Cooperative Extension Office, labor, materials and supplies to deliver solid waste educational kits entitled *Garbology: A Waste Watchers Guide*. The term of the agreement is from the date of execution to August 31, 2001. The County will be paid \$10,650 for these services. (C-00-544)

MOTION: Steinman moved and Heier seconded approval. Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

F. An agreement with the Child Guidance Center for an internal case manager and supervisor, which will serve as the liaison to outside information sources that are involved with the juvenile justice system, to ensure that the goals of Families First and Foremost are successful. The County will pay \$50,000 for these services. The term of the agreement is October 1, 2000 to September 30, 2001. (C-00-549)

MOTION: Steinman moved and Heier seconded approval. Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

G. An agreement with the Child Guidance Center to provide professional services in the following areas, beginning October 1, 2000 and ending September 30, 2001: (C-00-555)

- < Director of Service Development
- < Director of System of Care
- < Clerk Typist/Office Support
- < Care Coordinator Supervisor
- < Intake Worker
- < Family Outreach/Advocacy Worker (two positions)
- < Training & Technical Assistance Coordinator
- < Clinical Consultant

The County will pay \$413,857 for the services which will assist Families First and Foremost to meet project goals.

David Johnson, Deputy County Attorney, explained that due to Federal requirements the agreement should include Subparagraph 13 stating that the contractor is aware and shall meet the requirements of Circular Number A133 as a subrecipient expending \$300,000 or more in Federal awards.

4) **NEW BUSINESS CONTINUED:**

MOTION: Steinman moved and Heier seconded approval of the agreement, including Subparagraph 13 stating that the contractor is aware and shall meet the requirements of Circular Number A133 as a subrecipient expending \$300,000 or more in Federal awards. Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

H. An agreement with the Good Neighbor Community Center, beginning October 1, 2000 and ending September 30, 2001, to provide care coordination using the wraparound process for youth who have severe emotional disorders and who are at risk of becoming involved with the juvenile justice system. The County will pay \$50,000 for the services. (C-00-550)

MOTION: Heier moved and Hudkins seconded approval. Workman, Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

I. An agreement for preliminary survey roadway design and plan preparation with Speece-Lewis, Inc. for the regrading of Rokeby Road from South 56th Street to South 70th Street, beginning November 13, 2000 and ending February 16, 2001. The County will pay \$10,500 for the services. (C-00-553).

MOTION: Hudkins moved and Workman seconded approval. Hudkins, Workman, Heier, Campbell and Steinman voted aye. Motion carried.

J. A contract with Quest Diagnostics, Inc. for laboratory testing and related services for the Community Mental Health Center, beginning October 1, 2000 through September 30, 2001, with optional one year renewal periods upon mutual consent. Pricing for prescription and non-prescription items will be billed in compliance with the State of Nebraska, Department of Public Welfare's published fee schedule, direct to Medicaid or other insurance providers. (C-00-554)

MOTION: Steinman moved and Workman seconded approval. Campbell, Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

K. A resolution authorizing the removal of the "Advanced Railroad" warning signs and crossbucks at the following locations in Lancaster County, Nebraska: (R-00-128)

- < Martell Road east of South 38th Street for eastbound and westbound traffic.**
- < South 25th Street south of Hickman Road for northbound and southbound traffic.**
- < Stagecoach Road east of Highway 77 for eastbound and westbound traffic.**
- < Olive Creek Road east of Highway 77 for eastbound and westbound traffic.**
- < South 12th Street south of Highway 77 for northbound and southbound traffic.**

Removal of the signs is due to the removal of the Union Pacific Railroad tracks south of Saltillo Road and into Gage County.

MOTION: Steinman moved and Heier seconded approval of Resolution 00-128. Hudkins, Campbell, Steinman, Heier and Workman voted aye. Motion carried.

L. Award of bid to Nebraska Title Company, in the amount of \$40 per certificate, for the preparation of title certificates on real property foreclosures for nonpayment of real property taxes. (B-00-45)

MOTION: Steinman moved and Hudkins seconded approval. Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

M. Recommendation from the Purchasing Agent to award a bid off a State contract to Husker Automotive-Chevrolet, in the amount of \$22,577.85, for one 2001 Chevrolet Express 15 passenger van for the Corrections Department. (B-00-46)

MOTION: Steinman moved and Heier seconded approval. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

4) **NEW BUSINESS CONTINUED:**

N. A disbursement from the Lancaster County Leasing Corporation Renewal and Replacement Fund to Natkin Service, in the amount of \$16,762.53, for replacement of two air conditioner compressors and a cooler compressor for Lancaster Manor. (M-00-89)

MOTION: Workman moved and Heier seconded approval. Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

O. A political subdivision tort claim filed against Lancaster County by Allied Insurance, in the amount of \$1,269.15, for damaged property.

David Johnson, Deputy County Attorney, explained that the County's insurance company responded to Allied Insurance indicating they would not pay the claim because no negligence was found on the part of the County. Recommendation was for denial.

MOTION: Steinman moved and Heier seconded to accept the County Attorney's recommendation and deny the claim. Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

5) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Right-of-way contracts between the County Engineer and the following:

- < **Barry A. and Karen J. Radebaugh, in the amount of \$50, on South 54th Street from Roca Road to Saltillo Road; Project C55-S-405(1). (C-00-551)**
- < **William Speidel, Jr. and Phyllis M. Speidel, in the amount of \$680, on Pioneers Boulevard from 98th to 112th Streets; Project C55-P-409(2). (C-00-552)**

Campbell stated she would be abstaining due to a conflict of interest.

MOTION: Steinman moved and Heier seconded approval of the Consent Item. Hudkins, Steinman, Workman and Heier voted aye. Campbell abstained. Motion carried.

6) **ADJOURNMENT**

MOTION: Workman moved and Steinman seconded adjournment of the Board of Commissioners meeting. Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk